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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,135	03/01/2000	SHAOWEI PAN	CE08144R	3917

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EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/516,135

Applicant(s)

PAN ET AL.

Examiner

Tilahun B Gesesse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The disclosure is objected to because of the following informalities: on page 5 left blank the patent no. of a related art. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 through 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rinchiuso et al (6,144,651)"Rinchiuso" in view of Chinitz et al (5,914,958)"Chinitz".

As to claim 1,3,6-7,9,11, Rinchiuso discloses a method for transmission within a wireless communication system (100 of figure 1), the method comprising: receiving a plurality of uplink transmissions from a plurality of remote units (column 2 lines 12-20 and figure 1), determining a plurality of remote units (column 3 lines 18-34), combining uplink transmissions of the plurality of uplink transmissions that are associated with the subset to produce a combined signals (column 3, lines 18-34 and figure 6), and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the plurality of remote units (column 7 lines 15-40 and figure

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6). Rinchiuso does not specifically disclose a subset of the plurality of remote units wherein the subset determined based on an energy of an uplink transmission of each remote from the plurality of remote units. However, Chintz discloses a subset of the plurality of remote units (group members A to D) wherein the subset determined based on an energy of an uplink transmission of each remote from the plurality of remote units (the group members of A to D is determined base on inbound full rate or low rate links, in this cases group member D is full rate link. " high energy inbound link" (figure 5). The prior art "Rinchiuso and Chinitz" are with same field of endeavor "multicast communication". Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Rinchiuso and Chinitz , in order to solve the problem of unnecessary signaling between the remote and base station by utilizing the multicast communication technique.

As to claim 2, Rinchiuso discloses receiving the plurality of uplink transmissions from the plurality of remote units (113-117) comprises the of receiving a plurality of traffic channel transmissions form the plurality of remote units (column 3, lines 18-25).

As to claim 4,8 Rinchiuso discloses decoding uplink transmissions to produce a plurality of decoded transmissions (column 4 line 45-column 5 line 2) summing the plurality of decoded transmissions to produce a summed decoded transmission and encoding the summed decoded transmission (column 4 line 45-column 5, line 2 and figure 3). As to claim 5, Rinchiuso discloses transmitting the combined signal to base station to be broadcast via the downlink communication signal comprises the step of transmitting the combined signal to the base station to be broadcast via downlink traffic

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channel to the plurality of remote units (column 3 , lines 18-34). As to claim 10, Rinchiuso discloses a plurality of uplink channel transmissions (figure 1 plurality of remote transmit uplink channels).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rinchiuso et al (6,104,709) discloses plurality of remotes that wish to receive a multicast session monitor a multicast advertisement message on a system broadcast channel to determine a session to receive (abstract).


Heiskari et al (5,930,723) discloses establishing an extended group call in a mobile communication system (abstract).Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Tilahun Gesesse
Patent Examiner TG: 2600

August 26, 2003

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TILAHUN GESESSE
PATENT EXAMINER